

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

*In re C. R. Bard, Inc.
Pelvic System Products Liability Litigation
MDL No. 2187*

Civil Action No. 2:14-cv-09492

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for Complaint against the Defendants named below, incorporate The Master Complaint in MDL No. 2187 by reference. Plaintiff(s) further show the court as follows:

1. Female Plaintiff

Carmen Livingston

2. Plaintiff Husband

N/A

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

N/A

4. State of Residence

West Virginia

5. District Court and Division in which action is to be filed upon transfer from the MDL.

U.S. District Court, Southern District of West Virginia

Huntington Division

6. Defendants (Check Defendants against whom Complaint is made):

A. C. R. Bard, Inc. ("Bard")
 B. Sofradim Production SAS ("Sofradim")

- C. Tissue Science Laboratories Limited (“TSL”)
- D. Ethicon, Inc.
- E. Ethicon, LLC
- F. Johnson & Johnson
- G. American Medical Systems, Inc. (“AMS”)
- H. Boston Scientific Corporation
- I. Mentor Worldwide LLC
- J. Coloplast Corp.
- K. Cook Incorporated
- L. Cook Biotech, Inc.
- M. Cook Medical, Inc.

7. Basis of Jurisdiction

- Diversity of Citizenship

8.

a. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

Paragraphs 6, 7 & 8

b. Other allegations of jurisdiction and venue

28 U.S.C. Sec. 1407, the Judicial Panel on Multi-District Litigation created MDL 2187

to be presided over by the Hon. Joseph Goodwin of the Southern District of

West Virginia. This matter properly falls under the jurisdiction of MDL 2187.

9. Defendants' products implanted in Plaintiff (Check products implanted in Plaintiff)

- A. The Align Urethral Support System;
- B. The Align TO Urethral Support System;
- C. The Avaulta Anterior BioSynthetic Support System;
- D. The Avaulta Posterior BioSynthetic Support System;
- E. The Avaulta Plus Anterior Support System;
- F. The Avaulta Plus Posterior Biosynthetic Support System;
- G. The Avaulta Solo Anterior Synthetic Support System;
- H. The Avaulta Solo Posterior Synthetic Support System;
- I. The InnerLace BioUrethral Support System;
- J. The Pelvicol Acellular Collagen Matrix;
- K. The PelviLace BioUrethral Support System;
- L. The PelviLace TO Trans-obturator BioUrethral Support System;
- M. The PelviSoft Acellular Collagen BioMesh;
- N. The Pelvitex Polypropylene Mesh;
- O. The Uretex SUP Purbourethral Sling;
- P. The Uretex TO Trans-obturator Urethral Support System;
- Q. The Uretex TO2 Trans-obturator Urethral Support System; and
- R. The Uretex TO3 Trans-obturator Urethral Support System.
- S. Other

AJUST (Adjustable Single-Incision Sling)

10. Defendants' Products about which Plaintiff is making a claim. (Check applicable products)

- A. The Align Urethral Support System;
- B. The Align TO Urethral Support System;
- C. The Avaulta Anterior BioSynthetic Support System;
- D. The Avaulta Posterior BioSynthetic Support System;
- E. The Avaulta Plus Anterior Support System;
- F. The Avaulta Plus Posterior Biosynthetic Support System;
- G. The Avaulta Solo Anterior Synthetic Support System;
- H. The Avaulta Solo Posterior Synthetic Support System;
- I. The InnerLace BioUrethral Support System;
- J. The Pelvicol Acellular Collagen Matrix;
- K. The PelviLace BioUrethral Support System;
- L. The PelviLace TO Trans-obturator BioUrethral Support System;
- M. The PelviSoft Acellular Collagen BioMesh;
- N. The Pelvitex Polypropylene Mesh;
- O. The Uretex SUP Purbourethral Sling;
- P. The Uretex TO Trans-obturator Urethral Support System;
- Q. The Uretex TO2 Trans-obturator Urethral Support System; and
- R. The Uretex TO3 Trans-obturator Urethral Support System.
- S. Other

AJUST (Adjustable Single-Incision Sling)

11. Date of Implantation as to Each Product

November 3, 2010

12. Hospital(s) where Plaintiff was implanted (including City and State)

St. Mary's Medical Center

Huntington, WV

13. Implanting Surgeon(s)

Rocco Morabito, MD

14. Counts in the Master Complaint brought by Plaintiff(s)

- Count I
- Count II
- Count III
- Count IV
- Count V
- Count VI
- Count VII (by the Husband)
- Count VIII
- Other _____ (please state the facts supporting this Count in the space, immediately below)
- Other _____ (please state the facts supporting this Count in the space, immediately below)

s/ William J. Doyle II

Attorney(s) for Plaintiff

Address, phone number, email address and bar information:

DOYLE LOWTHER LLP
William J. Doyle II (CA #188069)
Chris W. Cantrell (CA #290874)
10200 Willow Creek Road, Suite 150
San Diego, CA 92131
Tel: (858) 935-9960
Fax: (858) 939-1939